

REMARKS

I. Status of the Claims

Claims 6-13, 22-23, 30, 66 and 69 are currently pending in this application. No claims are amended herein.

Applicants respectfully acknowledge the Examiner's withdrawal of the rejections under 35 U.S.C. §§ 102 and 103.

II. Double Patenting Rejections

The Examiner rejects claims 6-13, 22-23, 30, 66 and 69 on the ground of nonstatutory obviousness-type double patenting. Specifically, claims 6-13, 22-23, 30, 66 and 69 are rejected as being unpatentable over claims 1-29 and 44-45 of U.S. Patent No. 7,195,651 in view of the *International Cosmetic Ingredient Dictionary and Handbook*, Seventh Edition (1997) ("*Handbook*"); claims 6-13, 22-23, 30, 66 and 69 are rejected as being unpatentable over claims 1-34 and 45-47 of U.S. Patent No. 7,250,064 in view of *Handbook*; claims 16-13, 22-23, 30, 66 and 69 are rejected as being unpatentable over claims 50-97 of U.S. Patent No. 7,303,589 in view of *Handbook*; and claims 6-13, 22-23, 30, 66 and 69 are rejected as being unpatentable over claims 1-36 of U.S. Patent No. 7,150,764 in view of *Handbook*. Office Action at 3-4

Although Applicants do not agree with those rejections, solely in an effort to expedite allowance of this application, Applicants submit herewith a Terminal Disclaimer to obviate these rejections. Accordingly, Applicants respectfully submit that these rejections have been obviated and request that they be withdrawn.

CONCLUSION

In view of the foregoing remarks, Applicants submit that the pending claims are patentable over the cited references. Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

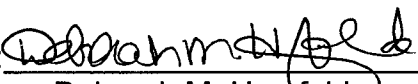
If the Examiner believes a telephone conference could be useful in resolving any outstanding issues, she is respectfully invited to contact Applicants' undersigned counsel at (202) 408-4368.

Please grant any extensions of time required to enter this paper and charge the required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 6, 2010

By: 
Deborah M. Herzfeld
Reg. No. 52,211

Attachment: Terminal Disclaimer